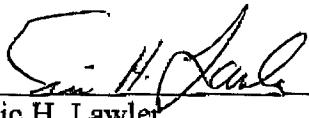


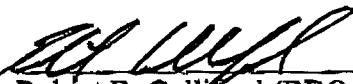
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BOSTON AND MAINE CORPORATION,)
Plaintiff,)
-v.-)
MASSACHUSETTS BAY TRANSPORTATION) Civil Action No. 05-11656-RCL
AUTHORITY,)
Defendant.)

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

Plaintiff Boston and Maine Corporation, and its counsel herein, hereby certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution such as those outlined in LR 16.4.


Eric H. Lawler
Chief Financial Officer


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